1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 DONNELL KINNARD, 11 Plaintiff, No. CIV S-04-2472 FCD PAN P 12 VS. 13 DAVID RUNNELS, et al., 14 Defendants. ORDER 15 16 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action 17 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate 18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262. 19 On February 28, 2006, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections 20 21 to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed 22 objections to the findings and recommendations. 23 The court has reviewed the file and finds the findings and recommendations to be 24 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY 25 ORDERED that: ///// 26

1	1. The findings and recommendations filed February 28, 2006, are adopted in
2	full; and
3	2. This action is dismissed without prejudice. See Local Rule 11-110; Fed. R.
4	Civ. P. 41(b).
5	DATED:April 17, 2006
6	/s/ Frank C. Damrell Jr. FRANK C. DAMRELL JR.
7	United States District Judge
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